

TOWN OF NEW WINDSOR

PLANNING BOARD

February 14, 2018

MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
DANIEL GALLAGHER
HARRY FERGUSON
DAVID SHERMAN

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

VERONICA MC MILLAN, ESQ.
PLANNING BOARD ATTORNEY

JENNIFER GALLAGHER
BUILDING INSPECTOR

STEPHANIE TORRES
PLANNING BOARD SECRETARY

JAMES PETRO
PLANNING & ZONING BOARD COORDINATOR &
PROPERTY MANAGER

ABSENT: HOWARD BROWN

MEETING AGENDA:

1. Brittany Terrace MHP
2. 1st Ask Realty MHP
3. Monaco MHP
4. NW International Airport Partners SP
5. NW International Airport Partners Sub.
6. Thor Performance Products
7. Biohitech America SP
8. Solexus
9. Patriot Bluff

REGULAR MEETING:

MR. ARGENIO: Welcome everybody to the regular meeting
of the Town of New Windsor Planning Board for

February 14, Valentine's Day 2018. Everybody please stand for the Pledge.

(Whereupon, the Pledge of Allegiance was recited.)

APPROVAL OF MINUTES DATED 1/24/18

MR. ARGENIO: Approval of the minutes dated 1/24/2018, if anybody sees fit, I'll accept a motion we accept them as written.

MR. FERGUSON: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion made and seconded we accept the minutes for 1/24 of '18 as written. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

ANNUAL MOBILE HOME PARK REVIEW;

BRITTANY TERRACE

MR. ARGENIO: Mobile home park review. We have three items here tonight. Somebody here from Brittany Terrace? We'll come back to them.

1ST ASK REALTY MOBILE HOME PARK

MR. ARGENIO: First Ask Realty Mobile Home Park. Would you come forward sir please? Jen, has somebody from your office been there?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What say you?

MRS. GALLAGHER: We don't have any issues.

MR. ARGENIO: How many units do you have?

MR. SHAH: Nine.

MR. ARGENIO: Did you bring a check for the benefit of the town in the amount of \$250?

MR. SHAH: Yes.

MR. ARGENIO: Okay, I'll accept a motion we offer one year extension.

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board offer 1st Ask a one year extension on their permit to operate.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: We'll see you in a year.

MONACO MOBILE HOME PARK

MR. ARGENIO: Monaco Mobile Home. Has somebody from your office been out there?

MRS. GALLAGHER: Yes.

MR. ARGENIO: What say you?

MRS. GALLAGHER: Once again, we have no issues with them.

MR. ARGENIO: How many units?

MS. MONACO: Three

MR. PETRO: Can you cut that down a little?

MR. ARGENIO: Did you bring a check for the benefit of the town in the amount of \$250?

MS. MONACO: Yes.

MR. GALLAGHER: Motion for one year extension for Monaco Mobile Home Park.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion has been and seconded that the Town of New Windsor Planning Board offer a one year extension permit to operate. Roll call.

ROLL CALL

MR. FERGUSON AYE

MR. SHERMAN AYE

MR. GALLAGHER AYE

MR. ARGENIO AYE

MR. ARGENIO: Thank you, ma'am, you can give her the check. I'm not moving too fast am I?

MR. PETRO: Doing a good job.

MR. ARGENIO: Did anybody come in from Brittany? Stephanie, when you see them come in, please give me a little nudge. So we'll move right on here.

PUBLIC HEARINGS:

NEW WINDSOR INTERNATIONAL AIRPORT PARTNERS SITE PLAN
(17-22)

MR. ARGENIO: Second tonight we have this public hearing, there's a, I don't want to call it a typo, there's an oversight. This application runs congruent with the subdivision that carries the same name but a different planning board number, Jen, is that correct?

MRS. GALLAGHER: Yes.

MR. ARGENIO: We're going to have the public hearing for this and I'd like to try to cover both of these as best we can this evening because they truly do run together. And the meat of the application is New Windsor International Airport site plan, the subdivision is more of a town board issue frankly. So that said, I'll read into the minutes. This application proposes the development of the two new lots created by application 17-23 which is in fact a subdivision plan. The plan was previously reviewed at the 13 December 2017 and 24 January 2018 planning board meetings. This application is before the board tonight for a public hearing. So the plan is up, I see Ray here, what do you have, Ray? Do you have something?

MR. YANNONE: We have one return that came back.

MR. ARGENIO: Okay, so for those of you who are not familiar with the process, we will have a look at the plan first, ask any questions of the engineer and the applicant that we feel we need to be probing and then we'll open it up to the public and then come back to the board. So members of the planning board, we've seen this a few times, it's a very creative and somewhat basic application with some really interesting nuances that the applicant worked with our engineer to try to resolve. Do the members have any questions about the application at this point in time or comments or question about the plans? Anything, Harry or David or Danny?

MR. GALLAGHER: No.

MR. FERGUSON: No.

MR. ARGENIO: On the 29th day of January 2018,
Stephanie compared two addressed envelopes containing

NW INTERNATIONAL AIRPORT PARTNERS SP

the notice of public hearing for this application with the list that was provided to her by our assessor, Todd Wiley. Those notices went out announcing the public hearing this evening. So this is a public hearing, anybody have any questions or comments or anything they'd like to say about this application, please raise your hand and be recognized? Seeing no hands.

MR. GALLAGHER: I'll make a motion we close the public hearing for New Windsor International Airport Partners site plan.

MR. SHERMAN: Second it.

MR. ARGENIO: Motion made and seconded that we close the public hearing. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Okay, so now we had the public hearing, that's good, we need to do that, it's a requirement by law for the application. I don't want anybody to think that this planning board is subjectively wasting everybody's time but by law we have to have it because of the special permit requirement. So Mark or Veronica, we have in front of us the site plan commentary from the engineer, Veronica, do you have anything else that you'd like to offer for us to consider only the site plan?

MS. MC MILLAN: Only that if the board decides to move forward with a conditional approval that it should be subject to the town's storm water guidelines and provide an erosion control plan and also that the site plan also has to include an easement back to the town which is also part of the contract for this matter to cover the utilities that are in the now abandoned Bill Larkin Drive.

MR. ARGENIO: You keyed into that, Raymond?

MR. YANNONE: Yes.

MR. ARGENIO: Mark, what else do you have to offer on this application?

MR. EDSALL: Relative to the site plan application just for our record you've already assumed lead agency on the 13th of December, I believe you might of done so for both applications, you've deemed the application consistent with the prior SEQRA review that was done as part of the Environmental Impact Statement for the International Airport Partners that was done in January so I believe SEQRA is complete. Both the site plan and I will comment on this subdivision quickly, subdivision application have some corrections that are required based upon personal comments as part of my reports. But the board also had comments that they made that are part of the minutes. So any approval actions on either application should require that my prior comments and the board's prior comments, the cleanups on the plans be accomplished.

MR. ARGENIO: Why aren't those cleanups done, just curious?

MR. RUGNETTA: We didn't submit plans because we were scheduled for the public hearing.

MR. EDSALL: There was nothing that changed with the layout so they're just cleanups.

MR. ARGENIO: Harry Ferguson, do you have any other thoughts with this?

MR. FERGUSON: Only thing I don't see is a flag pole for some of the buildings.

MR. ARGENIO: Can you give us a flag pole?

MR. YANNONE: I've never not put one on.

MR. ARGENIO: David Sherman, do you have any commentary on this, anything else?

MR. SHERMAN: No, I don't.

MR. ARGENIO: Danny?

MR. GALLAGHER: Nothing.

MR. ARGENIO: Mark, I feel like I'm missing something, was there anything in the commentary from the last meeting that's sticking out in your mind?

MR. EDSALL: The board had asked that the plan clearly indicate the curb line that's being moved back to widen where the parking spaces are moving, that curb is going in, we acknowledged that there's an existing thru road that was abandoned so they're creating some easements working with Veronica on the small details. But the layout is as is shown, I don't believe that any of the comments impact the layout so they're just plan cleanups.

MR. ARGENIO: Counselor, can we proceed forward with the site plan? And then I would like to talk about the subdivision plan after that but is there any reason we can't legally proceed with the site plan?

MS. MC MILLAN: No.

MR. ARGENIO: Because it sounds like there's nothing else to address other than Mark's comments that he just made.

MR. EDSALL: And I'll pull out the minutes from the planning board's comments, make sure they're all taken care of as well cause you guys did have some comments.

MR. ARGENIO: Okay.

MR. GALLAGHER: I'd like to make a motion for conditional approval for New Windsor International Airport Partners site plan and special permit.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board offer New Windsor International Airport Partners site plan and special permit conditional final approval subject to the final cleanup of the plan documents and that easement verbiage that Veronica just spoke of. So you'll get those plans cleaned up and you'll get them to Mark after they're cleaned up? After that's done then you'll get your plans signed. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

NEW WINDSOR INTERNATIONAL AIRPORT PARTNERS SUBDIVISION

MR. ARGENIO: So let's talk about the subdivision. Veronica, I don't want to jam ourselves up, I don't want to do anything that's inappropriate. What can we do with the subdivision this evening? What's reasonable and realistic? As I said before, seems to me for the most part that subdivision application is a town board issue that obviously we have to approve the application itself but the nuances of transfers and such are more town board issues, can you please speak to that?

MR. EDSALL: Only one comment, looking back, the board actually talked when the subdivision was initially in about this is very simple, let's get it out of the way and I kind of held up the board, said wait until you find out if they have to move any lines relative to the site plan. So you held off action earlier on just to make sure the site plan was resolved.

MR. ARGENIO: I recall that discussion.

MR. EDSALL: So the day has come.

MS. MC MILLAN: At this point, we haven't done anything procedurally yet with regard to the subdivision. So if the board is inclined to consider that application now that the site plan's been conditionally approved then we'd have to do a SEQRA determination and if the board saw fit we can offer conditional approval on this application. It does, one of the conditions would be the accessway and maintenance agreement that we have already started working on with the applicant, it's just waiting on some legal lot descriptions as a part of the final subdivision process just to create easements and accessways for the parcels.

MR. ARGENIO: So from a SEQRA perspective, what's there to consider?

MS. MC MILLAN: It's an unlisted action so you'd have to--

MR. ARGENIO: By default, right?

MS. MC MILLAN: Yes, you have to do a negative declaration and determine whether or not the board's ready to offer conditional approval. We already waived the public hearing. On a subdivision of this nature,

the public hearing is discretionary at the option of the board. And the last time we were here the board waived that requirement.

MR. ARGENIO: So it's okay if we move forward with this?

MS. MC MILLAN: Yes.

MR. GALLAGHER: Make a motion for negative dec for New Windsor International Airport Partners subdivision.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board declare a negative dec under the State SEQRA law for the subdivision application for New Windsor International Airport Partners. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: What else, Veronica?

MS. MC MILLAN: If the board sees fit to offer conditional approval.

MR. ARGENIO: That's conditioned upon please read into the minutes.

MS. MC MILLAN: Conditioned upon the applicant executing and recording a declaration of maintenance and accessways for the subdivision as between the two lots that are being created.

MR. EDSALL: And the water line easement.

MS. MC MILLAN: Well, that was part, that's a condition of the site plan, Mark?

MR. EDSALL: It's got to be shown on the subdivision plat and there was some bulk table corrections on this one as well.

MR. ARGENIO: Okay, what about the town board status with the transfer of the property?

NW INTERNATIONAL AIRPORT PARTNERS SUB.

MS. MC MILLAN: I think, I believe and the applicant can correct me if I'm wrong, it's awaiting final action here then it will move forward, there's already a Contract of Sale.

MR. ARGENIO: All that's--

MR. YANNONE: Contract's executed and they have approved the sale of the property.

MR. ARGENIO: So you'll leave us and can finish with them?

MR. YANNONE: Yes.

MR. ARGENIO: Makes sense I guess, right, the process? You guys have any other questions on that?

MR. FERGUSON: No.

MR. GALLAGHER: No.

MR. SHERMAN: No.

MR. GALLAGHER: Make a motion for final approval for the New Windsor International Airport Partners subdivision subject to what Veronica said.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board offer final approval to the New Windsor International Airport Partners subdivision subject to what counsel just read into the minutes. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: I think that's it. Veronica or Mark, am I missing anything?

MR. EDSALL: No.

MR. ARGENIO: Good luck to you. That's a very creative
NW INTERNATIONAL AIRPORT PARTNERS SUB.

interesting project as I've stated.

MR. MOREAU: Steve Moreau, I'm on the Town Board of New Windsor, make it public so everybody knows that and it's noted.

MR. ARGENIO: Thank you for the acknowledgment.

ANNUAL MOBILE HOME PARK REVIEW: (CONTINUED)

BRITTANY TERRACE MHP

MR. ARGENIO: Your Brittany Terrace? Your name for the stenographer?

MR. EGAN: Kevin Egan.

MR. ARGENIO: On Station Road?

MR. EGAN: Yes.

MR. ARGENIO: What happened to April?

MR. EGAN: I bought the property, she was an employee, she's no longer employed.

MR. ARGENIO: So you own the park now?

MR. EGAN: I do.

MR. ARGENIO: That's an interesting turn of events.

MRS. GALLAGHER: I'd actually like Mr. Egan to contact our office tomorrow or by the end of the week cause I want to get some information from you on maintenance people or whatever you have so we have that in our records.

MR. EGAN: Which office are you?

MRS. GALLAGHER: Building.

MR. ARGENIO: You've been out there? Typically that park's in pretty good shape.

MRS. GALLAGHER: Yes, we don't have any issues.

MR. ARGENIO: Did you bring a check for the benefit of the town in the amount of \$505?

MR. EGAN: I did.

MR. ARGENIO: Okay, Jen says it's clean, it's good, it typically is. Any other questions? I'll accept a motion for one year extension.

MR. GALLAGHER: So moved.

BRITTANY TERRACE MHP

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded we offer
Brittany Terrace a one year extension for a permit to
operate.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: What's your name?

MR. EGAN: Kevin Egan.

MR. ARGENIO: Stewart Hill Industrial Park pulled out
at the last minute yesterday or the day before which
brings us to Thor Performance Products site plan.

REGULAR ITEMS:

THOR PERFORMANCE PRODUCTS, INC. SITE PLAN (18-01)

MR. ARGENIO: Application proposes a wholesale and storage building with an accessory office. The plan was reviewed on a concept basis only. Sir, good evening, your name for the record?

MR. SAMUELSON: Jay Samuelson, Engineering Properties. So we're here tonight to present this plan for the first time to the board.

MR. ARGENIO: Jay, I know where we are, can you please explain to the others?

MR. SAMUELSON: I'm getting there. So as you may or may not know, this was the facility that we were here a year or two ago, maybe more for the propane distribution facility. That has gone by the wayside. So what we're proposing tonight is a warehouse. In the back portion of the building will be a warehouse, two story tear in the front corner with two story area on the back here, an office above and a mezzanine level over a covered parking are, this is for--

MR. ARGENIO: What, slow down, where is the covered parking?

MR. SAMUELSON: It will be in the mezzanine level over the parking area that will be office above that parking area.

MR. EDSALL: It's the dashed line, Jerry.

MR. ARGENIO: What does your client do?

MR. SAMUELSON: Thor Performance does flooring products for sporting facilities, gyms, turf fields. So they make the product that goes on the floor, they make the rubber flooring, hardwood floors, artificial turfs. This building will be used as their office and headquarters. They're not going to be manufacturing any of the products here. This will be for their salespeople and their office staff. The warehouse will be for products that they'll be using as samples. So when a large company comes in and wants to look at doing this for their floor of their gym or their stadium field or whatever, they'll have product that they can go in and look at all the different options

what they can have.

MR. ARGENIO: Where do they manufacture?

MR. SAMUELSON: I don't know exactly where they are, they're based out of Cornwall on Pleasant Avenue.

MR. EDSALL: Pleasant Hill.

MR. SAMUELSON: Pleasant Hill in Mountainville, they're right across from the AOH, he does a lot of it out of his own personal residence.

MR. FERGUSON: He has barn as a showroom.

MR. SAMUELSON: Across from the AOH on Pleasant Hill Road.

MR. ARGENIO: Continue.

MR. SAMUELSON: As I said, the warehouse portion will be for the storage of the sample products. Thor does own some vehicles as well which is why we do have some, a little additional parking and some of the vehicles may be stored in the building, that's why.

MR. ARGENIO: Van?

MR. SAMUELSON: Vans, cars, so there will be different kinds in there. Very single, small accessway around the building, loading dock in the back, probably a garage door with the loading area, there's parking out front, we did get the comments from the fire inspector about the hydrant and the water service being a main.

MR. ARGENIO: Why do you have a cleanout every 90 feet?

MR. SAMUELSON: With the sewer service usually you have a manhole, sewer service requirements are cleanouts every 75 feet.

MR. ARGENIO: Is that true, Mark? Whose requirement is that?

MR. EDSALL: Yeah, it's small diameter, spacing is better.

MR. SAMUELSON: It will probably be a six inch unless I get the eight inch and get manholes in the way, I have cleanouts.

MR. ARGENIO: Go ahead.

MR. SAMUELSON: We're just here to make the presentation tonight.

MR. GALLAGHER: How about trash or dumpster location?

MR. SAMUELSON: It's not shown but we can add one, definitely show that.

MR. ARGENIO: Jay, why would you have a 26 foot driveway on one side of the building and a 30 foot on the other?

MR. SAMUELSON: The 26 is for fire access code just for the fire access road, so if we had to get a fire truck around we've got maneuvering but the 30 foot in the front is for the--

MR. ARGENIO: No, the side.

MR. SAMUELSON: I'm not sure why that one is 30, we can probably shorten that up.

MR. ARGENIO: Twenty six foot meets code?

MR. EDSALL: Yeah, if it's an area where they're going to stage equipment, the fire inspectors may bump it up to 30 but access lane has to be a minimum of 36 to the building, I'm not quite sure that the fire inspectors will accept the lane adjacent to the building 26, he'll have to work it out, he's got room to work it out.

MR. ARGENIO: Go ahead, Jay.

MR. SAMUELSON: We're on to your questions.

MR. ARGENIO: Is that the point we're at? At this point very basic, we'd be looking for landscaping at some point in time, lighting.

MR. SAMUELSON: We know that we have a lot of design to do, we just wanted to bring in a sketch and get any comments before we got into the design.

MR. ARGENIO: I just want to take a minute and root through Mark's comments.

MR. GALLAGHER: How many employees do they plan on?

MR. SAMUELSON: We'll probably be in the 10 to 15 range.

MR. GALLAGHER: Hours of operation?

MR. SAMUELSON: It's an office so I'm going to say it's probably seven to ten, probably.

MR. ARGENIO: Jay, you're going to have to get some landscaping because you're right next to the historic building.

MR. EDSALL: National Temple Hill is shown right there.

MR. ARGENIO: We're going to look for that to be tuned up.

MR. GALLAGHER: Are those three trees that I see right above that there?

MR. SAMUELSON: Those are existing when they did the survey.

MR. GALLAGHER: They're staying?

MR. SAMUELSON: Yes. We're not going to do any disturbance on this side of the swale, any landscaping will be to buffer and screen from our side.

MR. ARGENIO: The existing storm management area I see you're doing a little bit of work in there but I don't see contours or anything indicating that you're utilizing that.

MR. SAMUELSON: This is conceptual that's there for now, we're going to utilize that to the best of our ability. We may end up putting a four bay pre-treatment into it but we plan on using that facility to the greatest extent that we can and not expanding unless we really have to.

MR. ARGENIO: I would think that would make sense. We can circulate, I'll accept a motion we circulate for lead agency.

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

MR. ARGENIO: Motion made and seconded that the Town of New Windsor Planning Board issue a lead agency circulation letter for Thor Performance Products site plan. Roll call.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. EDSALL: May I jump in, Mr. Chairman?

MR. ARGENIO: Please do.

MR. EDSALL: Relative to lead agency coordination as we have struggled with in the past one of our state agencies, New York State Office of Parks, Recreation and Historic Preservation will not accept lead agency coordination letters. So I'm just going to ask Jay if he can please make sure that gets submitted, give us a copy of what he submits and I believe they allow you to list the town as a respondent for any correspondence.

MR. SAMUELSON: What they're doing in the past, they asked me to provide the contact information for the chairman when I put all the information in for all the other projects.

MR. EDSALL: That way we can get that out of the way early and just you may want to look at the prior plan you prepared because I believe they had written off on that if I'm correct so if you do a similar treatment it may just go as well.

MR. SAMUELSON: I will submit all the original data.

MR. EDSALL: Thank you.

MR. ARGENIO: That system is as smooth as broken glass, is that accurate, Jay? There's not a lot of detail for us to look at here, talked about landscaping. Members, David, please chime in, Harry, chime in if you'd like to hear something. You're going to need a flag pole, I'll save Danny from saying it. I think it comes with the chair to my left, the comment that, Danny commented on the dumpster which is certainly something you're going to have to address.

MR. EDSALL: Jay, could you--

MR. ARGENIO: I just wanted to see if we don't forget to do it get as soon as possible a plan back that has the sight distances from the curb cut and DOT information on it because I'd like to get that referral out as soon as possible as well.

MR. SAMUELSON: I'm sure I can do that relatively quickly. I believe we have all that from the previous application, I can get that on a plan.

MR. EDSALL: If it's acceptable to the board, even if it's an interim submittal so we can get the--

MR. ARGENIO: To who?

MR. EDSALL: To the town, even if it's not necessarily the one you'll look at at the next planning board meeting but an interim submittal that we can refer to.

MR. SAMUELSON: I'll make a note on the transmittal, it's just for the DOT just for their information.

MR. ARGENIO: Danny and I were just talking about the county, I think that this is probably a little deficient at this point.

MR. EDSALL: It's a little light for them but DOT focuses very narrowly on their access.

MR. ARGENIO: I don't see any significant changes on that entrance, I mean, they strategically selected I think a driveway directly across the street from Tarkett looks like which makes sense.

MR. EDSALL: It would help the board and help DOT to have a short, even if it's a one page narrative explaining the operation that it's really primarily an office, that the warehouse reference is for sample products, low truck volume, something that will help DOT understand the use, I can shoot that off as well.

MR. ARGENIO: I agree and Jay, we're typically not an architectural review board, we don't usually get into that, but to use neutral, unoffensive colors and finishes on the building would probably be appropriate with that historic building next door. I'm overreaching a little bit but we typically do do that, we typically do make that type of commentary when folks

are developing in our historical corridors in the Town of New Windsor.

MR. SAMUELSON: I'll make that note.

MR. ARGENIO: Members, any other questions on this? Mark, is there anything else we need to address?

MR. EDSALL: No, I didn't really find any serious issues with the plan, just wanted to get initial comments and move on.

MR. ARGENIO: Not a lot of comment on here, brother. Jay, thank you.

MR. SAMUELSON: Thank you, have a good night.

MR. ARGENIO: Do you have Mark's comments?

MR. SAMUELSON: I do.

BIOHITECH AMERICA SITE PLAN & SPECIAL PERMIT (18-02)

MR. ARGENIO: Next is Biohitech America site plan and special use permit. The application proposes construction of a 69,000 square foot mechanical biological treatment facility processing solid municipal waste into solid recoverable fuel. The application was reviewed on a concept basis only.

MR. SORIANO: So, good evening, my name is Dennis Soriano, S-O-R-I-A-N-O, I'm with Biohitech Global.

MR. CHASE: I'm David Chase with Clark Patterson Lee.

MR. MILLSPAUGH: Mark Millspaugh with Sterling Environmental.

MR. ARGENIO: How are you?

MR. MILLSPAUGH: I'm well.

MR. ARGENIO: Your client get his silo up?

MR. MILLSPAUGH: I believe so

MR. ARGENIO: I know he's trying to do that.

MR. MILLSPAUGH: I haven't been by but I believe it's put up.

MR. ARGENIO: Oh, so what do we have here, folks?

MR. SORIANO: What we're proposing is the construction of a mechanical--

MR. ARGENIO: I apologize, you're the applicant?

MR. SORIANO: I am.

MR. ARGENIO: Mr. Chase, you're the engineer, you and Mr. Millspaugh?

MR. CHASE: Yes.

MR. SORIANO: What we're proposing is construction of a mechanical biological treatment facility. Basically, this is a technology that has been established and used for a number of years in Europe and most recently in Egypt. We have contracted the exclusive rights for the development of a patented system called HEBioT, High

Efficiency Biological Treatment. Actually, this is a relatively new concept so not going to ask you to do too much but in here is a, and I believe there's one member missing tonight, and in there there's some general literature. There's also a brief seven minute video that we shot at a facility in Wiltshire England about a year ago that explains the process and gives you an example of what the building looks like and how everything flows. As I said, we have the exclusive rights to develop this patented technology that was developed by a company called Entsorga Italia based outside of Milan Italy, they're basically an engineering company, they've designed and built nine of these mechanical biological treatment facilities.

MR. ARGENIO: Where?

MR. SORIANO: Eight of them in Europe, one which just came online the most recent in Egypt, they process a little over a million tons a year combined.

MR. ARGENIO: First one domestically?

MR. SORIANO: No, first one is under construction now in Martinsburg, West Virginia, we anticipate to be in full operation by this summer.

MR. ARGENIO: This will be the second one?

MR. SORIANO: Yes. It is basically like it's an enhanced composting, this is a completely biological process, there is no combustion, there's no burning, there's no adding of additives or anything of that nature. It's a pretty simple process, it's three steps. There's a reception area, a bio-drying hall which makes up roughly 65 percent of the total square footage and a refinement area, traditional MSW--

MR. ARGENIO: Do those functions that you just described happen indoors?

MR. SORIANO: Everything is completely enclosed. The building is kept under a negative pressure and I will explain how we do that in a second. As a truck backs up, it hits a sensor, a quick opening closing, shutter door goes up, truck backs in and dumps material into a pit. We don't dump on an open transfer floor, there are four receiving pits, as the truck pulls away after it's dumped its load, it trips the sensors again and the door closes immediately behind it in the bio-drying

area which is right here. In this particular building, there are 34 individual batches, if we were outside and composting we would call them wind rows, right? Each of those batches sits on precast concrete plates that have overall openings in them in line with each one of the batches there's an industrial fan, those fans are drawing air back through the facility back through each batch that helps activate the natural microbes and it accelerates the decomposition process that's part of the composting.

MR. ARGENIO: Those fans, do they discharge through a bag house?

MR. SORIANO: No, they circulate the air back. All of odors from the building are circulated back into a biofilter which is shown outside right here into two biofilters that are outside. The biofilters are covered, we collect the leachate that comes out of this system, we recirculate the leachate and we use it.

MR. ARGENIO: I'm sorry, excuse my ignorance, where does the leachate come from if it's entirely enclosed?

MR. SORIANO: Natural material, the natural leachate.

MR. ARGENIO: Garbage juice?

MR. SORIANO: Garbage comes in and it's wet, it's generally wet and so you're going to get some liquids which are leachate. So it's important that we collect those. Everything is sloped on the outside so nothing goes back that you're dumping inside the building, also keeps materials from outside. So we're controlling everything by collecting the leachates then recirculating and using it to keep the moisture level in the biofilters at an acceptable level. They're covered so we don't get large variations of moisture based on weather conditions, snow, water, whatever. And then, so then that's how the bio-drying works. What happens is we accelerate the decomposition process so that each of those batches reaches maturity, the ability to process it in a refinement area in approximately 10 to 14 days. Now, for every hundred tons that comes in, approximately 42 to 47 percent of that volume is made into what we call a solid recovered fuel. You'll see in the pamphlets that I gave you a letter in the back, we've been working on this for a number of, that's an example that you're holding of the fuel. We spent a lot of time before we started

construction of the first facility working with the USEPA. So in your packet you'll see a letter, it's called a comfort letter from the EPA which recognizes our end product as an engineered fuel, a commodity, not a waste product. So 42 to 45 percent, the percentages I'm going to give you all depend on the incoming stream, so 42 to 47 percent is going to become solid recovery fuel. Thirty to 35 percent of the inbound waste is going to be lost through natural oxidation and evaporation through the drying process. About three to five percent is going to be recovered metals.

MR. ARGENIO: Recovered?

MR. SORIANO: Metals, you know, aluminum, tin, steel. Okay, I'll explain how we do that, and 17 to 20 percent still which will be inerts still will need to go to landfills. So our process accomplishes 80 percent landfill diversion while making 45 percent approximately into a recovered fuel. It goes into the reception area, it's transferred from the reception pits to an initial receiving area, the material goes through a trommel, it's divided to a, everything is seven inches and bigger.

MR. ARGENIO: Seven inches?

MR. SORIANO: Seven inches, yes, that's basically fiber and plastic. Now, when I say that, immediately people say you're taking stuff out of the recycle stream, right? We're not, we're taking stuff out of the garbage stream that would be buried, right, we absolutely are adverse to any recyclable material being sent to this facility, right, this is for MSW only. So that 10 percent of material--

MR. ARGENIO: What's MSW?

MR. SORIANO: MSW is municipal solid waste. So the municipal solid waste and then forward into a holding pit as does the overs and the unders, the MSW.

MR. ARGENIO: What are the overs typically made of?

MR. SORIANO: Cardboard, newsprint, fliers, plastic containers that have been disposed of, it's a commingle of product.

MR. ARGENIO: Again, I apologize for keep interrupting you but I have so many questions in my mind I'm holding

back.

MR. SORIANO: Well, listen, I got involved in this two years ago, you're asking all the questions I asked. So we separate that material, the unders are basically the organic fractions, right, so the unders go to the bio-drying hall where they're put in wind rows and dried out over the process.

MR. ARGENIO: The thought process is that the larger stuff is the commingled plastic jugs, et cetera, the small or fractionated product is your goal, right?

MR. SORIANO: Yeah, well partially, yeah, it's the bulk of the material in its, what needs to be dried out, okay. All of this material is moved around with the use of overhead cranes. So in this facility and throughout the entire process from the time the truck dumps it is 100 percent completely automated. There is no employee interaction in any of this process so we don't have any rolling stock, we don't have people working in dusty environments so they're not breathing in any of the fumes or dust or toxins from a normal waste product handling facility. The fact that we move everything around with overhead cranes approximately 150,000 tons a year, the same size facility with one crane only has the capability because of the lack of equipment is processing 100 tons a year. So one crane is going from the reception area to the, from the dumping pits to the immediate reception area, a second crane is moving material from that area to either the refinement area, the overs, the mixed material or--

MR. ARGENIO: What's that, is that a claw?

MR. SORIANO: It's a claw crane, yeah, I really, and certainly when we come back again I'm sure you'll have more questions after you view the video but I think seeing the video on the thumb drive gives you a general--

MR. ARGENIO: Answers a lot of questions.

MR. SORIANO: Yeah, you get to see all the equipment and what the process is, it's a short video. Now so we get to the end and when material reaches its natural maturity then it's moved, the organic fraction, to the refinement area, it's blended back again with the overs, that mix, plastic and fiber, it then goes through another trommel where it takes out small grit

material, basically stone, dirt, broken glass, things of that nature. The material then goes on through the trommel, we pull out metals through the use of an overhead magnet, standard equipment, we pull out aluminum using eddy current, we pull out the PVC--

MR. ARGENIO: How do you do that?

MR. SORIANO: Eddy current, it's an anti-current thing, kicks aluminum out. And then we use optical sorting equipment to pull out PVC plastic. Now it's important that we pull out the PVC plastic because the end users of our product are going to be people who are burning coal. So you say who burns coal anymore?

MR. SHERMAN: Who are the end users?

MR. SORIANO: Cement kilns, so they're still large volume users of coal.

MR. ARGENIO: You've got one up in Ravena.

MR. SORIANO: There's 11 of them in the Lehigh Valley in Pennsylvania. Unfortunately, the way that manufacturing has evolved almost all the cement mills are now owned by foreign countries based in Europe so the plus for us is all of these companies utilize this material as alternative fuel in Europe and are anxious to use it here in the U.S. Two advantages, one SRF is a little cheaper than coal so there's an economic advantage and number two, it burns cleaner than coal.

MR. ARGENIO: Is this the fuel or do you compress this into pellets?

MR. SORIANO: No, that's the fuel, it goes out, looks just like that, it's not compressed, it's not compacted.

MR. ARGENIO: How do they burn it?

MR. SORIANO: Loose. They use a special feed system that, by the way, the same company who has this manufactures and designs the feed system of course. They use a special feed system that blends it into the main kiln, as coal is being fed, it has to have a certain density, you have to feed it at a certain rate to get it to burn but it also burns cleaner. So it assists in lowering the emissions that currently are coming out of the stack, you know, coal, cement kilns

are always bumping up against the top end of their emissions. So this assists them. The caloric value is one ton of coal is equivalent to about a ton and a half of SRF. What else can I tell you about this? This will have about 16 to 18 employees. So you said well, you just said it was completely automated, what are they doing? We have two people that are there, there's a certain amount of redundancy in the control room because it's fully automated, their basic job is to make sure that the tasks that are being processed on the computer stay in line. We're constantly measuring temperature and moisture requirements in each individual batch so we have two operators, we have maintenance mechanics, we have, we have an electrician, at least one, and then normal laborers for general cleanup and things of that nature. Normal hours of operation. Roughly 6:30 in the morning till about 4:30 in the afternoon, normal receiving hours at any kind of facility that accepts municipal solid waste process starts at 6:30. The decomposition of the material is 24-7, you don't need to be there to watch that. When the material is fully processed after we take the metals out, after we take the PVC plastic out then it's run through a shredder, we can adjust the shredder, different cement kilns have different requirements based on sizing. I was at a meeting last week with a kiln out in the Lehigh Valley, they want everything to be minus two inch so the biggest fraction has to be two inches or smaller. They have certain, the reason the EPA said we're an engineer of fuel is that we can adjust our product to meet a specific specification as opposed to a waste product that may be shredded or baled and has no process going and doesn't meet any particular specification. The only thing we haven't decided is the appropriate place for the flag pole.

MR. ARGENIO: You've given us a great deal of information.

MR. SORIANO: I'll be back at every meeting and I'm sure that you will have more questions about this. But I think some of the information I gave you will allow you to get some answers and certainly get more questions.

MR. ARGENIO: This is really a stupid question but when they cook the lime to make the clinker and they're burning this what's the temperature, is it like upwards of 2500 degrees, is it that hot?

MR. SORIANO: No, it's, the BTU value is about 15,000.

MR. ARGENIO: How hot is the kiln?

MR. SORIANO: I don't, I'm not as knowledgeable about the cement process as I am this.

MR. ARGENIO: I'm way sideways, I acknowledge that, and you've given us probably 20 percent of what you gave us is really planning board stuff but the other stuff is very germane, especially Mark, I'm sure Mark was eagerly listening to a lot of the things you're saying. So let me touch on a couple things. The plan's going to need to evolve, obviously, I mean, I see a couple of issues that I'm sure Mark will pick up on. So lane widths and things like that we need to talk about. Landscaping and stuff like that, do we have a landscaping plan?

MR. CHASE: We do.

MR. ARGENIO: How many trucks a day do you bring in?

MR. SHERMAN: What kinds of trucks?

MR. ARGENIO: Garbage trucks, they're like hundred yarders?

MR. SORIANO: There will be collection vehicles, there will be some what you'd call hundred yard trailers, that's how material's shipped out cause it goes loose probably outbound because depending on where we go we can run shorter double trailers to both Pennsylvania and New York.

MR. ARGENIO: Is that outbound from your--

MR. SORIANO: That's outbound.

MR. ARGENIO: When I'm on 17 and I see a trailer come by Champagne, the next one Ray Kelly, all these guys heading west, is that the stuff that you're going to put in your facility, the garbage that they're hauling?

MR. SORIANO: MSW stuff?

MR. MILLSPAUGH: Yeah, it's not long hauled in, it will be from the local waste so it would come in by--

MR. ARGENIO: That's the question I was asking, long

haul giant 100 yarders or is it the smaller 75,000 pound?

MR. SORIANO: Yeah, it will be more normal collection vehicles that will run down your street and pick up your trash once a week.

MR. ARGENIO: How many trips is it, how many loads, is it ten truckloads a day, is it 50, is it 5?

MR. MILLSPAUGH: We're seeking a permit from New York State from DEC for 150,000 ton a year so it's 150,000 ton a year on a five and a half or six day operation, Saturday's not quite half day that translates to approximately 500 ton a day.

MR. ARGENIO: So 150,000 ton a year six days a week?

MR. MILLSPAUGH: Yes, so that translates to approximately 500 ton a day on an average basis and I was using 12 so I had 40 trucks coming in, he'll get more on board, but some will have less and so that's incoming and then outgoing there would be the fuel trucks which will be tractor trailers, those would be the final product.

MR. ARGENIO: The solid fuel, fuel trucks?

MR. MILLSPAUGH: Sorry, yes, and based on literature that was provided from the designers of the process that came out to ten trailer loads a day over a full operating day so that's like two trucks an hour and then the residue, the nonfuel component that would come off the process.

MR. ARGENIO: Which is 15 to 20 percent more or less?

MR. SORIANO: Yes.

MR. ARGENIO: Go ahead.

MR. MILLSPAUGH: That would probably go off in the packard style truck, so we had that calculated at five trucks per day so 40 coming in and 15 going out and over the course of an entire day it's about eight trucks an hour in and out.

MR. SHERMAN: Access is 207?

MR. MILLSPAUGH: It's the connecting road is off Avenue
BIOHITECH AMERICA

of the Americas into the site so the access to 207 is out to the existing light.

MR. ARGENIO: On Hudson Valley Drive?

MR. MILLSPAUGH: Yes.

MR. PETRO: Why do you not, I've been marketing that property and one of the big things it had frontage on 207 and you're not taking advantage of that, is it because of topo?

MR. MILLSPAUGH: It's topo, it's wetlands and we've also talked to DOT, there's an intersection here, there's the controlled intersection here and there wasn't enough frontage, enough separation to have a separate controlled intersection because the trucks coming off 207 some would be turning in left, some would be turning in right and those exiting would probably all be going left to get to, so it didn't work out to have a direct road connection right out to 207, plus you can see there's no queueing room here if you had several trucks come in at once there was no place to put them.

MR. PETRO: They're going to come out on the Avenue of America's, you think you're going to be making a right and going into the airport to 207 and go up to 747, right?

MR. SORIANO: Yeah, our agreement, as you're aware, this property is owned by the town, currently we have an agreement to purchase contingent on approvals, but our agreement with the town is that no truck will go through the airport zone. Every truck will go back out to 207 depending on where it's going it will either make a right at 207 and go back out to 747 or make a left and go down and go out Union Avenue. And we have been advised appropriately that any truck that doesn't follow that will be ticketed.

MR. ARGENIO: Were you involved in this?

MR. PETRO: Yes.

MR. ARGENIO: Yeah, I have some thoughts that I want to think through a little bit that I want to put out there. But I want to think them through. Mark, do you want to weigh in?

MR. EDSALL: Yeah, I may be, if you guys can send over a copy of some of that information, I'd like to get up to speed on it as well. I guess at this point my comments are more site plan related. But from a process standpoint, maybe some things you could enhance a little bit would be the oxidation and evaporation at 30 or 35 percent how is that contained and controlled so it doesn't impact the outside area?

MR. ARGENIO: Are you asking about odor?

MR. EDSALL: Yeah. And the second item is you've got the biofilters outside, you said they're covered, is that completely contained or is it just covered?

MR. SORIANO: There will be a metal frame around it with a stretched cover so that we're able to access the biofilter, basically you have kind of a mulch material that acts as the agent for factoring through the odors, right, so about every five years that material has to be changed out so each of those two that's in three segments so we're changing one third of each one.

MR. ARGENIO: Is there an image of that biofilter in the information that you gave us?

MR. SORIANO: There is not but we can certainly provide you one.

MR. ARGENIO: I want to probe that, this is right next to a fairly significant professional building.

MRS. GALLAGHER: Two of them.

MR. SORIANO: Let me tell you something about the video that you're going to see.

MR. ARGENIO: Just not me but this board, myself to a degree, Chairman Petro who's my predecessor dealt with it to a much greater degree than me was the burning plant down on the river and odors, it was a problem and frankly it still haunts this town today.

MR. SORIANO: You're comparing respectfully apples and oranges.

MR. ARGENIO: I don't disagree but for the fact the common thread is odor in the air.

MR. SORIANO: When you look at the video and it starts

with a shot from above it, the surrounding area looks pastorly, right, we're in this little English village but our immediate neighbor to that facility which has been operating now I believe five years is a manufacturer of powdered baby milk. So we have a food preparation factory right next door, we share a fence line. I will tell you this, when I, before I got involved in this, I had the same questions that you would have and couple of them, first thing was do I want to get involved promoting something that's a black box that's not commercially viable that only works in someone's garage on a table plan? So I went to Europe, I visited some facilities, I walked around, I've spent about 46 years working, in June, in two industries, the last 26 in the solid waste recycling industry on a national international level and before that I was in the construction materials business. So two really clean, nice businesses. I was amazed when I visited the first site, after you see one or two, the amazement goes away how clean and how odor free they are. The only odor you might get when you walk around is the same smell of mulch that you get when your yard has just been mulched around your plants. The ability to handle the odors, to deal with the air as that material dries out and to be able to recycle those odors back through the biofilter successfully without them escaping is I would have told you two years ago I didn't think it was possible. And a number of these plants are in highly populated areas with immediate neighbors. So I understand your skepticism.

MR. ARGENIO: It's not skepticism, just concern, that's all.

MR. SORIANO: If I had an office next door I would have the same questions and if I was on this planning board I would also.

MR. ARGENIO: Mark Edsall, I'd like you to finish your thoughts or were you done?

MR. EDSALL: No. One other thing I just want to key the board into early this is not just a site plan application, it's a special permit application. And there are certain criteria that you have to make determinations on to issue that special permit. So your questions relative to traffic, noise, odors and all those things are not just generalized extra comments, they're comments that will be important in your determination for issuance of the special permit

you know, congruent with the adjoining neighborhood and so on, so those questions are well-founded.

MR. PETRO: Mr. Chairman, I have one question. This property sits pretty low as you know it's, I'm just curious and I don't see it anywhere, Mark's going to get to it is the runoff water, the ground water from your roof, water from the impervious surfaces.

MR. EDSALL: There's six treatment areas on the site.

MR. PETRO: Is that what they mean by bioretention area, all those are retention ponds?

MR. EDSALL: There's six of them.

MR. PETRO: Okay.

MR. ARGENIO: Bio six underground.

MR. EDSALL: Bio six is on the top of the page, long narrow one, it's open as far as I can understand at this point just off the paved area.

MR. PETRO: Is the biotech area, Mark, does it look like a normal retention pond?

MR. EDSALL: We haven't gotten the SWPPP and all the information but at least they have reserved areas.

MR. ARGENIO: Jimmy, the same issues with the ponds are out there that you had however many years ago but they're designed a little bit differently now with some different items than, do you remember the Shop Rite ponds were the ones that you were particularly I don't want to say angry but concerned about because of the sand layer being so deep? You said time and time again how are they going to clean it.

MR. PETRO: They don't clean it, that's under the pavement there, they can't get people to fix a \$2 vent, you know, the filter, my tenants, they're going to go underneath the parking area and clean that? I'd like to see that some day.

MR. CHASE: If you'd like do you want me to give you a quick walk-through? The thinking behind the whole storm water system we have a number of bioretention areas, all the site sheet flows to the bioretention areas that surround the perimeter of the property. As

the water runs off, we've got an interception trench, pea stone that will catch larger materials and then it runs into these bioretention areas that have the media, those are underdrains underneath them, certain ones you get to a certain level of storm it will overflow into the structures. And so from there then it runs into the underground that you were referring to storm tech chamber type system and in each of the storm tech systems what they've got in them if you're familiar with these is that as the water comes in first it goes into isolator rows which are the inlets, those are actually set a little bit lower than the remainder of the storm tech chambers. So basically, the first flush of what's already gone through that gravel or pea stone trench, gone through the bioretention areas and then comes to here, it goes in the isolator row which, so the first water that comes into these goes into those ones which do have a manhole access so somebody can get down in there with a vac truck and they can hose these out and suck the material out of that so then all the other ones are, all the other storm tech chambers are protected from stuff building up in those as well.

MR. ARGENIO: These are designed, prefabricated by professionals, vetted by the DEC, et cetera, et cetera and it is what it is, frankly. Mark, I think I told you this, Jimmy, we built one of these down in Woodbury Commons, a storm trap three acres underground, three acres of storage underground at Woodbury Commons. I mean, that's pretty significant. Whatever, I don't want to get underground. As I said to you guys, I have a million questions and I think this thing needs to be thought through. I'd like to go to the members, Harry or David, is there anything that's jumping out at you that you'd like to comment on, speak to or ask a question about at this current juncture?

MR. SHERMAN: Other than the traffic issues right now which we'll have to address later, 207 is already quite busy.

MR. ARGENIO: Does this go to DOT, Mark?

MR. EDSALL: It would not unless you referred it cause they're not building any new access points and it is part of the industrial park, the industrial park had an EIS done as you know. So what we would be doing is just comparing the trip generations and other impacts of this site relative to all the top thresholds for each of the certain items. And as long as they stay

within the guidelines of the EIS, you would reach a consistency determination and work off the EIS.

MR. SHERMAN: You mentioned Union Avenue, you were saying the trucks coming out and making a left?

MR. ARGENIO: They'd go down to 207, they could make a left on Union Avenue is what I think he was saying.

MR. SORIANO: Yeah, I mean, there's one of two ways you can exit, you could come out--

MR. SHERMAN: Isn't there a limit on 207 on truck size?

MR. SORIANO: No.

MR. SHERMAN: On Union Avenue?

MRS. GALLAGHER: Our Union, not that Union.

MR. ARGENIO: Union Avenue in front of Town Hall is restricted.

MR. PETRO: This one is not, the other part.

MR. ARGENIO: Mark, what about the Avenue of the Americas, any improvements necessary there? That's all clay sewer there, isn't it?

MR. EDSALL: Yeah, that's the portion they're tying into is a little rough but the other portion has been repaved, Airport Center Drive has been.

MR. ARGENIO: From 207 to passed--

MR. EDSALL: Hudson Valley Avenue rather.

MR. ARGENIO: That's okay but when you get to the intersection and make a right--

MR. PETRO: It's concrete though, Jerry, I think, you know, I mean, it's been there since 1930.

MR. EDSALL: Structurally it's fine, the surface is just rough.

MR. PETRO: May have to do some potholes or something but the concrete I'm sure would hold up.

MR. GALLAGHER: I wanted to touch on the noise factor,

you were saying there's fans, is there going to be fans going all day during operation hours, does the noise level go up?

MR. SORIANO: I can provide you with some information on the decibel levels but it's a relatively quiet operation. They're not loud, intrusive fans so we do have some information on decibel levels of the facility and I'm happy to provide that.

MR. EDSALL: That might be a perfect item for a, I keep using the word narrative, but I think if we get that in narrative form the outside equipment, the decibel levels possibly at the equipment. The decibel level that would be observed at the property line that could all be included because it's more important. Again back to the special permit, so if some of the questions that I raised in my comments the board raised tonight and I'm sure when you come up with your other hundred comments they could be included in this narrative so that when you do reach your number one consistency determination and number two your special permit determination you'd have to have that to rely on.

MR. ARGENIO: Do you have anything there?

MR. FERGUSON: What David talked about the traffic that's a lot of trips in and out.

MR. ARGENIO: I'm not going to comment at this time. I do have a lot of questions but I really would like to have the opportunity to collect my thoughts. This is literally my first time seeing this. Most of the time I see the plans before they hit this first meeting but this one I did not. You have a significant wall it looks like.

MR. CHASE: Would it be beneficial if I did a quick run-through of the site?

MR. ARGENIO: I don't see anything incredibly complex but by all means.

MR. CHASE: So essentially, it's a 12 acre site, it's a 69,000 square foot building, access from down here at, on 207 trucks, come in here and basically traffic flow on the site is one way so trucks will come in here, the packard trucks will come in, hit the above grade scale then they'd go across, come back in, offload the material in the reception pits here, come back out, get

weighed again and just due to the nature of the site they have to make an extra loop before they go out. As far as material being taken out, it gets loaded out through this area down here which is a drive-thru for the larger trucks.

MR. ARGENIO: Is there a loader operating inside that building or conveyer?

MR. SORIANO: Conveyer, it's a drive-thru loading facility closed on both ends.

MR. CHASE: So those trucks coming in will either have like a tare weight or they can come in and get weighed first and have to navigate out.

MR. ARGENIO: You have a problem with your second loop around.

MR. CHASE: That's the one trickiest thing about the site as far as when they come back around, we discussed those trucks will all have tare weight because they'll be your trucks, right, so that the, that's how traffic generally flows on the site.

MR. ARGENIO: What do you do if you need to get the weight on a truck?

MR. CHASE: On one of the--

MR. ARGENIO: On a tare, if you need to get a tare, what would you do?

MR. SORIANO: Pull on the scale.

MR. ARGENIO: Then what would you do?

MR. CHASE: What they can do then if they want to go to the loading so what they do is they come back around and I believe the way we've got it set up they can pull here, actually back into the off loading area.

MR. ARGENIO: Okay.

MR. CHASE: So that's generally the way the site operates. You did mention retaining walls, the grading on the site is, was pretty challenging because there's roughly from this end to this end is roughly a 30 foot drop which is one of the things that played into one of the considerations Mark mentioned as far as a problem

with getting in here from 207 in order, basically we need to create a plateau on this site and given the size of the facility really the only way to do that--

MR. ARGENIO: Is that the grading plan?

MR. CHASE: That is sheet C201.

MR. CHASE: We've got along this perimeter here this is all fill situations so we've got retaining walls that are varying, you know, anywhere low spot maybe three feet up to as much as 18 or 20 feet.

MR. ARGENIO: Do you know what your deficit, your fill deficit is?

MR. CHASE: As far as the overall balance on the site we've got it balanced because we're cutting back here and so back here we're in cut scenario where we have a retaining wall.

MR. ARGENIO: So you've pushed the site down in a bit to generate fill on the, I don't know, north end?

MR. CHASE: Yeah, we're essentially like cutting here, filling here.

MR. ARGENIO: I understand.

MR. CHASE: And as far as retaining walls go, we have a contractor that Biohitech is working with looking to do this in a design build type of arrangement so they're looking at different options for the retaining walls. Right now looking possibly doing something like soldier pile precast lagging in the cut scenario. The fill scenario looking at what could be the big precast blocks or something similar to that but they're still trying to evaluate what's going to be best and most cost effective. Let's see, what else.

MR. GALLAGHER: What's the height of the building?

MR. CHASE: Highest point is 60 feet. As far as you asked about landscaping plan before, so if you look at sheet L200 what we have there is we pretty much met the requirements of the landscaping portion of the zoning code as far as trees and shrubs go. So we've got, we did all the bioretention area, there's landscaped plantings, we've got trees on the perimeter of the site so it will be well screened. And then as well we have

site lighting plan that's included there where we're utilizing wall packs on the building and then pole lights all downcast lighting to minimize light.

MR. ARGENIO: Mark, you're the environmental guy, I assume that, what kind of approvals do you need for this, is it like a Part 360 permit?

MR. MILLSPAUGH: You need a 360 permit for the solid waste. We did have a pre-application meeting with the DEC to get their input in terms of how they're going to classify what type of solid waste management facility this is because it crosses a couple different categories. As you may be aware, DEC significantly revised their Part 360 regulations in November so this application is based on the requirements of the new regulations.

MR. ARGENIO: You're still working through that with them to understand exactly what permitting you're going to--

MR. MILLSPAUGH: And we haven't submitted yet because we wanted to get a sense from this board about the conceptual layout. We need a state facility air permit for the bag house and the biofilters.

MR. ARGENIO: I asked about a bag house before.

MR. SORIANO: I'm sorry, there is a, there are particulates in the shredding and conveying of material, all the conveyers are covered, there are a number of pickup points and all the pickup points are distributed to a bag house.

MR. ARGENIO: But those don't help the odor obviously if there was an order or--

MR. SORIANO: If there was, yeah, these are basically air and dust particulates that are collected so there is none that goes out.

MR. ARGENIO: So to answer your question if I think it was a question, Mr. Millspaugh, is that it's a lot, there's a lot here, there's a lot to consider. But, you know, you gotta recycle, I mean, that's it. I just, I can't believe frankly and I'm, maybe I shouldn't preach but I just can't believe that the little plastic bottles that we all buy our water in nowadays they're still allowed to sell them without a

20 or 30 cent deposit on them. Frankly, you read about the Pacific garbage patch, all this plastic is, you know, it's all over the place.

MR. SORIANO: It's amazing even I spent a lot of time in this industry even with recycling programs there's a tremendous amount of recyclable material, fiber, plastic, things of that nature. Several years back the company I was involved with we were running, I won't say the county, but we were running a county transfer station which was a baling operation, they operate one of the few bale fills left, they bring in solid waste and they actually bale it, put it on trucks, bring it out to the landfill and stack the fills. There's only two of them in the U.S. but they're in it, committed to doing it that they had an operation that had been abandoned, when we signed a new contract to do it, let's take a look at the equipment and so forth and we engaged actually a local company up here, Cornerstone Environmental, to do a composition study to see what was in it. We were shocked to find out there was still almost 50 percent recyclable materials in the trash in a county whose recycling program was 20 years old. So it's an issue and this is one proven technology.

MR. ARGENIO: I don't want to have a philosophical debate but I certainly do agree with you. Mark Edsall, at this point this evening what else do we need you to be considering with this? And I don't mean to slight it but I want to look at this and think it through a little bit.

MR. EDSALL: Well, the question is do we want to begin the SEQRA process. I mean, they've made good progress on the plans, these are much more informative than what you many times get as your initial plans. But given the fact that you've got a lot of technical information that you want to look at, you may want to look at that and maybe at the next appearance ensure to yourself you're ready to start the SEQRA process, it's your call.

MR. ARGENIO: I agree with you. And I also think that said applicant should, needs to work with you on some of these comments that you have here because some of this stuff I don't see why it can't get disposed of.

MR. EDSALL: Yeah, I think that the site plan comments I have are classic site plan comments. So these are easy. The other information is going to be more, going

to take more thought.

MR. CHASE: I would agree, I took a quick look and there's nothing of concern.

MR. EDSALL: We've had the opportunity to discuss this at a couple workshops and I must indicate that they have been very responsive in including a lot of the information into those plans so that's a benefit.

MR. MILLSPAUGH: We assumed the town planning board would want to be the lead agency for SEQRA. When we had the pre-application conference with the DEC, they did not bring up their interest. These are new regulations and this is a, the first time that this process would go through permitting in New York State so but almost always when the local jurisdiction asserts lead agency the DEC goes along with that determination.

MR. ARGENIO: I don't know why we wouldn't.

MR. EDSALL: We would but the board always looks to have some type of response from involved agencies. So although we clearly understand that you wouldn't have permits, we would want to see some response that they've found legitimacy in the process and that they see no serious obstruction to having a permit process issued.

MR. ARGENIO: I agree with that statement. Members?

MR. GALLAGHER: I have nothing else.

MR. PETRO: Just a non-planning board issue really but just curiosity, do you plan on using the IDA, Orange County IDA and/or using the 485-b plan from New York State for your project? How much is this project, is it \$12 million, \$20 million?

MR. SORIANO: Well, this project is particularly expensive because of the cost of developing a very irregular site but this is going to be probably in the \$35 million range.

MR. PETRO: So the IDA would definitely be something you should look into.

MR. SORIANO: I've met with the IDA and we're considering it but we haven't made a decision.

MR. PETRO: Don't forget the 485-b, you can get with our own assessor, that saves you 27 percent as opposed to 55 percent but it's free.

MR. ARGENIO: Twenty-seven percent of what?

MR. PETRO: Of whatever the taxes would have been. So that's some, a question that's asked like 5,000 times, but the real answer is on every one of the different PILOTS it's whatever your taxes would have been, whatever that number is, it's 27.5 percent savings with the 485-b and it's free. The 10 year PILOT saves you 55 percent but it's going to cost you 100 grand of today's dollars to save it over the period of the term. And the big thing would be for them would be the sales tax on the building material would go bye-bye.

MR. ARGENIO: Let's not kill it. I want to think this through a little bit. Do you guys have anything else?

MR. SORIANO: No.

MR. ARGENIO: Thank you for a very informative narrative and again, I apologize for interrupting as many times as I did but I'd like to know about this, I want to take this home with me.

MR. SORIANO: Did you want anymore?

MR. ARGENIO: Yes, please.

DISCUSSION:

SOLEXUS SITE PLAN (17-07)

MR. ARGENIO: Solexus, Mark, what's the deal?

MR. EDSALL: Solexus site plan is very near a meeting to consider site plan approval and as well a related subdivision approval. But the applicant being up against the DEC issues with clearing trees and dropping trees has requested permission to clear, rather drop trees, I'm sorry, not clear but drop trees within the project disturbance area.

MR. ARGENIO: I don't remember the lot as being completely wooded.

MR. EDSALL: There's a bunch around the perimeter but they want to--the applicant's engineer is here tonight.

MR. ARGENIO: So tell us.

MR. MORGANTE: There's a decent amount of trees on the site that they need to remove, the site's probably, it's actually fairly wooded.

MR. ARGENIO: So what's your status right now? Do you have approval?

MR. MORGANTE: We have a conditional final approval with this board. I'm working through some of the minor site plan comments right now. I'm ready to resubmit for Mark's final review prior to your--

MR. ARGENIO: You had some plan corrections to make.

MR. EDSALL: I'm sorry, they did have conditional approval, I was wrong.

MR. ARGENIO: So Mark, any reason why we wouldn't?

MR. EDSALL: I don't see any reason why not. We should impose the normal conditions that the limits of dropping the trees must be staked out by a licensed surveyor based on the conditionally approved site plan and that the trees can only be dropped, they cannot be dragged out or changes made until they have the site plan approval and implement their storm water plan.

MRS. GALLAGHER: That's not what they're asking for,

SOLEXUS

they're asking for logging, chipping, they're asking for that.

MR. EDSALL: If they implement the storm water plan, fine, but I tend to think they should have stamped plans before they go beyond dropping the trees, we normally don't let people start.

MR. ARGENIO: They have conditional approval.

MR. EDSALL: They're not far from having the plan stamped as far as I understand.

MR. MORGANTE: I'm just waiting on the access and maintenance agreement and I'll be ready to submit for final.

MR. ARGENIO: So you understand that if you do anything other than put a tree on the ground, anything other than that you need to have your full storm water SWPPP protection in place on your site.

MR. MORGANTE: So a SWPPP was not actually required on this project.

MR. EDSALL: Erosion control plan, I misspoke as well.

MR. ARGENIO: You need to have your erosion control measures in place if you do anything other than just cut a tree and let it fall on the ground.

MR. MORGANTE: I don't think it's a problem.

MR. PETRO: You have to do it anyway.

MR. ARGENIO: Everybody cheats, you've got to put them on the ground then you do the erosion control plan because you can't get in to put the erosion control in until you move the damn trees out of the way.

MR. EDSALL: You have no problem with that before stamped plans.

MR. ARGENIO: I don't. Do you have an issue?

MR. MORGANTE: I should have the easement agreement pretty soon, so I would probably be submitting within the next week.

MS. MC MILLAN: Has it been executed?

MR. MORGANTE: Not yet, I haven't even received the document.

MS. MC MILLAN: I haven't seen a draft of it, it's easier if I see it and we review it before.

MR. ARGENIO: You can cut, log and chip no problem but you need to have the storm water measures, all the silt plans and all that.

MR. MORGANTE: Not a problem.

MR. ARGENIO: Thank you.

PATRIOT BLUFF (16-08)

MR. ARGENIO: Patriot Bluff.

MR. EDSALL: Patriot Bluff by letter to the board dated February 9, little different, they're in the throws of getting their final site plan reviews so they can come in and get site plan approval. SEQRA process is completely done, they do have an extensive SWPPP but at this point all they're asking for is to drop the trees. They've given us a plan which shows the phase one cut limits which is basically the eastern side of the project east of the Central Hudson right-of-way, they're asking to do that plus the--

MR. ARGENIO: Eastern side of the site they want to just drop the trees?

MR. EDSALL: Correct. And they want to drop the trees on the connector road up to George Green Drive so that all the phase one would have trees dropped, no grading.

MR. ARGENIO: No hitches, no chipping, no nothing?

MR. EDSALL: Nothing until they're ready.

MR. ARGENIO: Any questions about that?

MR. GALLAGHER: From the cul-de-sac at the other end of George Green?

MR. ARGENIO: To Temple Hill Apartments.

MR. GALLAGHER: Starting at Temple Hill?

MR. EDSALL: They're not including the connector road down to the current project as clearing.

MR. ARGENIO: What's their access then, is their access through the other side?

MR. EDSALL: I think they're trying to come in through the other side.

MR. GALLAGHER: Are they clearing behind Mr. Petro's property?

MR. EDSALL: Behind his property for the entire east part of the project 14.5 acres total dropping of trees. As you recall, this is the, it's almost like a cluster

PATRIOT BLUFF

layout, they've taken what was a spread out townhouse plan and they've condensed it so there's a lot less disturbance on this plan than the prior approval.

MR. ARGENIO: Is there any reason we shouldn't be considering it?

MR. EDSALL: I think it would be unfair to the applicant to have them lose the entire construction season.

MR. ARGENIO: And they have been very good with this town this applicant.

MR. EDSALL: Very cooperative.

MR. ARGENIO: Members, any problems? Jimmy, you're the neighbor, got anything?

MR. PETRO: No, not really.

MR. ARGENIO: Probably shouldn't be asking but--

MR. PETRO: No, no, I think they're pretty well planned at this point.

MR. ARGENIO: I agree. Okay, Mark, you'll communicate with them?

MR. EDSALL: I will.

MR. ARGENIO: Very good, anything else?

BIOHITECH AMERICA - CONTINUED

MR. PETRO: Back on this for a moment, the outflow of the water I know they have all the retention ponds but if you know that property it's like a bathtub and they're building at the bottom part of the bathtub and it's 12 acres of bathtub. And I know they have the ponds but Mark when you look at that you should really look at the, there's water that flows under 207 and out somehow, let's say you had a hundred year storm that thing would be flooded without some way so you should really look at that.

MR. EDSALL: When they submit the storm water plan we'll look at that closely.

MR. PETRO: Let's look at where it's going to go.

MR. ARGENIO: What's your point?

MR. ARGENIO: That the retention ponds couldn't hold all the water because a lot of the water from the airport drains to that area so you have to deal with that already on top of all that the roof itself, the blacktop, the pavement, you're going to have just a huge amount of runoff.

MR. ARGENIO: Okay.

MR. PETRO: Without some emergency flow you can literally have a lake.

MR. ARGENIO: Okay.

MR. PETRO: Or a pond.

MR. ARGENIO: That's what Mark does, he'll look into it. Anybody else anything? Motion to adjourn?

MR. GALLAGHER: So moved.

MR. FERGUSON: Second it.

ROLL CALL

MR. FERGUSON	AYE
MR. SHERMAN	AYE
MR. GALLAGHER	AYE

February 14, 2018

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MR. ARGENIO

AYE

Respectfully Submitted By:

Frances Roth
Stenographer